

Sent to federal agencies
and tribes.

EO-1129



SURFACE TRANSPORTATION BOARD

395 E Street, SW
Washington, DC 20423
Section of Environmental Analysis

June 6, 2008

Mr. Gordon L. Yellowman
Historic Preservation Officer
Cheyenne and Arapaho Tribes of Oklahoma
P.O. Box 145
Concho, OK 73022

RE: STB Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin Project: Report for your comment

Dear Mr. Yellowman,

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is pleased to provide you with a draft report entitled *A Level III Cultural Resources Inventory of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, PRC Segment 3, Pennington, Jackson, and Haakon Counties, South Dakota*, SWCA Environmental Consultants, January 2008, LBG-SD3c¹. The report has been prepared as part of the cultural resources studies being completed to comply with the provisions of the Section 106 Programmatic Agreement (PA) and Identification (ID) Plan executed in May 2003 pursuant to 36 CFR 800.14 (b) for the above-referenced project.

The report presents the results of a Level III cultural resource survey along the Dakota, Minnesota & Eastern Railroad Corporation's proposed Powder River Basin Expansion Project, PRC Segment 3 and is situated in Pennington, Jackson, and Haakon counties, South Dakota. A total of 672.6 acres (272.2 hectares) of Segment 3 staging areas and borrow areas were inventoried for this reports. Field work was conducted in November of 2007.

The surveys resulted in the identification of five previously undocumented sites, one previously recorded archaeological site was relocated, and six isolated finds. Four of the five previously undocumented sites are historic structures. The report includes the

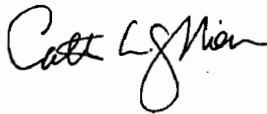
¹ This code refers to Louis Berger Group Report No. SD2a. The first two letters refer to the state, "3" is the report number, and the letter indicates that this is an addendum to report 3. Please refer to LBG code in your response.

consultant's recommendations regarding National Register eligibility for the identified sites. STB will make its final National Register evaluations pending receipt of comments from participating tribes, agencies, and the South Dakota Historic Preservation Officer.

Your comments and/or suggested changes must be provided within 30 days of receiving this letter. Please send your written comments directly to David Bibler, Project Manager for the Louis Berger Group Inc. (SEA's third-party contractor). If you have any questions or comments regarding any of the above, please feel free to contact me at 202-245-0293 (Catherine.Glidden@stb.dot.gov) or David Bibler at 319-373-3043 (dbibler@louisberger.com). Pursuant to the PA, SEA will assume that the lack of comments provided within the review period will mean your concurrence with its content and findings.

Thank you taking the time to review the enclosed report. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Catherine Glidden", with a stylized flourish at the end.

Catherine Glidden
Section of Environmental Analysis

Cc: distribution list

Enclosure: SWCA Environmental Consultants (Draft Report, January 2008)
Report Review and Comment Form

List of Identified Resources outside APE

Site #	Site Type	STB Recommends Eligibility	Tribe Recommends		
			Eligibility		
			Eligible	Not Eligible	Further Study
39HK0005	Historic farmstead & artifact scatter	Unevaluated			
39JK0207	Prehistoric artifact scatter	Unevaluated			
39JK0239	Historic whistle stop	Not Eligible			
39JK2003	Historic railroad	Eligible			
39PN0825	Prehistoric artifact scatter	Not Eligible			
39PN0933	Historic dump	Not Eligible			
39PN0945	Prehistoric occupation	Not Eligible			
39PN0992	Prehistoric occupation	Unevaluated			
39PN1644	Historic farmstead	Not Eligible			
39PN1755	Prehistoric artifact scatter	Unevaluated			
39PN1779	Historic artifact scatter	Unevaluated			
39PN1952	Historic whistle stop	Not Eligible			
39PN2003	Historic railroad	Eligible			
39PN2606	Prehistoric isolated find	Not Eligible			
39PN2607	Prehistoric artifact scatter	Not Eligible			
39PN2673	Prehistoric artifact scatter	Unevaluated			
39PN2806	Prehistoric artifact scatter	Not Eligible			
HK00000004	Historic bridge	Not Eligible			
HK00000006	Historic structure/ Molyneux cabin	Not Eligible			
HK00000008	Historic structure/Haakon County Primary School	Not Eligible			
JK00000021	Historic structure	Not Eligible			
PN00000005	Historic bridge	Not Eligible			

PN00000626	Historic structure /Quinn Methodist Church	Eligible			
------------	--	----------	--	--	--

List of Unidentified Resources

Type of Resource	Milepost Location	Recommended Action
N/A		

Report Review & Comment Form Powder River Basin Expansion Project

Report Information

Report Title:	<i>A Level III Cultural Resource Inventory of the DM&E Railroad Corp's PRB Expansion Project Corridor, PRC Segment 3, Pennington, Jackson, and Haakon Counties South Dakota January 2008 (SD3c)</i>
Author(s):	SWCA
Project Segment:	PRC Segment 3
Date Submitted for Review:	6/6/08
Please Return By:	7/6/08

List of Identified Resources within APE

Site #	Site Type	STB Recommends Eligibility	Tribe Recommends		
			Eligibility		
			Eligible	Not Eligible	Further Study
39HK0078	Prehistoric artifact scatter	Not Eligible			
39HK107	Historic isolated find	Not Eligible			
39JK294	Historic isolated find	Not Eligible			
39JK295	Historic isolated find	Not Eligible			
39JK296	Historic isolated find	Not Eligible			
39JK297	Historic isolated find	Not Eligible			
39JK298	Prehistoric artifact scatter	Not Eligible			
39PN2997	Historic isolated find	Not Eligible			
JK-003-00001	Historic Hwy 14 District Culvert	Eligible, Contributing Portion			
JK-003-00002	Historic Hwy 14 District Culvert	Eligible, Non-contributing Portion			
JK-003-00003	Historic Hwy 14 District Culvert	Eligible, Non-contributing Portion			
JK-003-00004	Historic Hwy 14 District Bridge	Not Eligible			

Site #	Site Type	STB Recommends Eligibility	Tribe Recommends		
			Eligibility		
			Eligible	Not Eligible	Further Study
JK-003-00005	Historic Hwy 14 District Culvert	Eligible, Non-contributing Portion			
PN-033-00001	Historic Hwy 14 District	Eligible, Non-contributing Portion			
PN00000752	Historic culvert	Not Eligible			
PN00000753	Historic Nonfarm Ruin	Not Eligible			

*If Tribe recommends eligibility, please specify which criteria apply.

Additional Comments (attach separate documentation if needed)

Signature: _____ Date: _____

Printed Name: _____ Title: _____

Return Completed Form to:

Dave Bibler
The Louis Berger Group
950 50th Street
Marion, IA 52302-3853